

First Published in the Wichita Eagle on January 1, 2005

RESOLUTION NO. 05-026

RESOLUTION OF FINDINGS OF ADVISABILITY AND
RESOLUTION AUTHORIZING CONSTRUCTION OF **WATER
DISTRIBUTION SYSTEM NUMBER 448-90033, (SOUTH OF 37TH ST.
NORTH, EAST OF TYLER)** IN THE CITY OF WICHITA, KANSAS,
PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE
GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF
CONSTRUCTING **WATER DISTRIBUTION SYSTEM NUMBER 448-90033, (SOUTH OF
37TH ST. NORTH, EAST OF TYLER)** IN THE CITY OF WICHITA, KANSAS, ARE
HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Water
Distribution System Number 448-90033, (south of 37th St. North, east of Tyler)** in the City
of Wichita, Kansas.

SECTION 2. That the cost of said improvements provided for hereof is estimated to be
Forty-nine Thousand Dollars (\$49,000), exclusive of the cost of interest on borrowed money,
with **76.7** percent payable by the improvement district and **23.3** percent payable by the City of
Wichita Water Utility Fund. Said estimated cost as above set forth is hereby increased at the
pro-rata rate of 1 percent per month from and after **November 1, 2004**, exclusive of the costs of
temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement
district, when ascertained, shall be assessed against the land lying within the improvement
district described as follows:

TYLER'S LANDING COMMERCIAL ADDITION

Lots 1 through 7, Block A

SECTION 4. That the method of apportioning all costs of said improvements
attributable to the owners of land liable for assessment shall be on a **fractional** basis:

TYLER'S LANDING COMMERCIAL ADDITION, Lot 1, Block A, shall pay
1505/10,000; Lot 2, Block A, shall pay 1176/10,000; Lot 3, Block A, shall pay
1175/10,000; Lot 4, Block A, shall pay 2207/10,000; Lot 5, Block A, shall pay
1821/10,000; and Lots 6 and 7, Block A, shall each pay 1058/10,000 of the total cost of
the improvements.

Where the ownership of a single lot is or may be divided into two or more parcels, the
assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot
basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, January 4, 2005.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)